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13
14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 SAN FRANCISCO DIVISION

17
18 UNITED STATES OF AMERICA,) No.: CR 10-268 (MHP)
19 Plaintiff,)
20 v.)
21 JOSEPH J. PUGLIESE,)
22 Defendant.)
23
24 _____)
25)
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27)
28)

14 STIPULATION AND [PROPOSED] ORDER
15 EXCLUDING TIME UNDER SPEEDY TRIAL
16 ACT FROM MAY 24, 2010 TO JULY 12, 2010

19 The parties appeared before the Honorable Marilyn H. Patel on May 24, 2010.

20 With the agreement of counsel for both parties, the Court finds and holds as follows:

21 1. The government has produced discovery and the parties have engaged in
22 meaningful plea discussions relating to a disposition that will address the charges
23 currently pending in this Court.

24 2. The parties agree to an exclusion of time under the Speedy Trial Act from May

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1 24, 2010 to July 12, 2010, in light of the need for defense counsel to review the discovery
2 material. Failure to grant the requested continuance would unreasonably deny defense
3 counsel reasonable time necessary for effective preparation, taking into account the
4 exercise of due diligence, and would deny the defendant continuity of counsel.

5 3. Given these circumstances, the Court finds that the ends of justice served by
6 excluding the period from May 24, 2010 to July 12, 2010 outweigh the best interest of the
7 public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A). Accordingly, and
8 with the consent of the defendant, the period from May 24, 2010 to July 12, 2010 shall be
9 excluded from Speedy Trial Act calculations under 18 U.S.C. §§ 3161(h)(8)(A) and
10 (B)(iv).

11 4. It is expected that at the next court appearance on July 12, 2010, either the
12 parties will notify the Court that they wish to set a date for a change of plea or the Court
13 will set dates for motions and/or trial.

14 IT IS SO STIPULATED.

15 DATED: May 24, 2010

16 
17 JEFFREY RABKIN
18 Assistant United States Attorney

19 DATED: May 24, 2010

20 
21 M. GERALD SCHWARTZBACH, ESQ.
22 Attorney for Defendant

23 IT IS SO ORDERED.

24 DATED: 5/25/2010



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